

Appl. No. : 10/764991
Filed : January 26, 2004

REMARKS

In response to the Office Action mailed on June 16, 2006, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments.

Claim Objections

Claims 36, 37 and 42 have been amended to correct the informalities noted by the Examiner.

Claims Rejections 35 U.S.C. 112

Claim 35 has been amended to correct the informality noted by the Examiner.

Claim Rejections – 35 U.S.C. 102

Claims 1, 34 and 37-39 stand rejected under 35 U.S.C. 102(e) as anticipated by Chobotov (USPN 6,395,019). Claims 1, 34, 36-39 and 42-50 stand rejected under 35 U.S.C. 102(e) as being anticipated by Douglas (US 2002/016502).

Nevertheless, to advance prosecution Applicant has amended independent Claims 1 and 18 as summarized below to more particularly and distinctly claim the claimed endoluminal prosthesis. Applicant reserves the right to pursue the amended claims in their original or similar form in a continuing application.

As amended, Claim 1 recites, in part, a wire support “wherein the number of proximal and distal bends in the plurality of axially adjacent tubular segments varies from the distal end to the proximal end of the main body support section.” A non-limiting embodiment of such a bifurcated graft is shown in Figure 36. Support for the language added to Claim 1 can be found at the bottom of page 37 and continuing into page 38 of the originally filed specification. Neither of the cited references disclose, teach or suggest a wire support with the above-noted features.

For at least this reason, Applicant submits that Claim 1 is in condition for allowance. Claims 34-39 are also in condition for allowance because they depend upon allowable Claim 1 and they recite additional patentable subject matter.

As amended, Claim 42 recites, in part, a prosthesis “wherein the number of proximal and distal bends in the plurality of axially adjacent tubular segments varies from the distal end to the proximal end of the main body support section.”

As noted above, the cited references do not disclose, teach or suggest a prosthesis with the above-noted features.

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Claims 43-50 are also in condition for allowance because they depend upon allowable Claim 43 and they recite additional patentable subject matter.

New Claims

Claims 50-52 have been added. Claims 50-51 depend upon Claim 1 and, for at least this reason, these claims are also in condition for allowance. Claims 52-53 depend upon Claim 42 and, for at least this reason, these claims are also in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

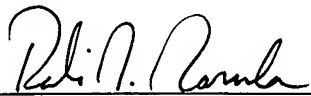
The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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